REMARKS

In the present application, claims 1-14 and 20-23 are pending. Claims 1-14 and 20-23 are rejected. Claims 1 , 4, 8, and 9 are amended. As a result of this response, claims 1-14 and 20-23 are believed to be in condition for allowance.

Claim Rejections – 35 USC § 102

The Examiner rejected claims 1-6, 8-14, and 20-23 as being anticipated by Barrett et al. (5,199,069).

With respect to claim 4, the Examiner asserted that Barrett et al. disclose "a method of ciphering in a communication network comprising a user equipment, an access network and a plurality of core networks, wherein said user equipment is configured to be simultaneously in communication with at least two of said plurality of core networks, said method comprising: communicating separate ciphering parameters to said access network (controller)(column 3, lines 25-35), from said at least two of said plurality of core networks, for example (see column 2, line 60 through column 2, line 52); selecting one of said separate ciphering parameters for ciphering the communications between said user equipment and said at least two of said plurality of core networks (see column 2, line 60 through column 2, line 52); Berratt et al discloses being able to receive separate encryption algorithms from at least two of the plurality of entities and making a selection of one of the encryption algorithms for ciphering communication to different groups of entities."

Applicants respectfully disagree with the Examiner's characterization of the teachings of Barrett et al. Specifically, Applicants maintain that, contrary to the Examiner's assertions, Barrett et al. fails to teach the elements of claim 4.

Claim 4, as amended, recites:

> A method of ciphering in a communication network comprising: a user equipment, an access network and a plurality of core networks, wherein said user equipment is configured to be simultaneously in communication with at least two of said plurality of core networks, said method comprising:

communicating separate ciphering parameters to said access network from said at least two of said plurality of core networks; and

selecting one of said separate ciphering parameters and using the selected ciphering parameter for ciphering at least both a communication between said user equipment and a first core network of said plurality of core networks and a communication between said user equipment and a second core network of said plurality of core networks.

Applicants note that Barrett et al. is directed, in general, to a supervisory radio that is arranged to automatically select between **different** encryption algorithms in order to listen to **different** groups of users employing their own **different** encryption algorithms. As such, Barrett et al. teaches the use of **different** encryption algorithms when communicating between **different** network elements. Such teachings are in contrast to the recited elements of claim 4.

It is noted by Applicants that claim 4 has been amended to more clearly recite the selection of **one ciphering parameter** and the use of **the one selected ciphering parameter** for ciphering the communications of a user equipment between both a first core network and a second core network. As is clearly seen, claim 4 recites the use of **one** ciphering parameter used for communication between a user equipment and two separate core networks.

The Examiner first cites column 3, lines 25-35, in particular "(controller)" as teaching a "user equipment is configured to be simultaneously in communication with at least two of said plurality of core networks, said method comprising: communicating separate ciphering parameters to said access network". Applicants note that the cited text makes no mention, at a minimum, of two core networks, a user equipment configured to be in simultaneous communication with the two core networks, or communicating separate ciphering parameters to an access network from at least two core networks as claimed.

Proceeding under the assumption that the Examiner's citation to "column 2, line 60 through column 2, line 52" was meant to be "column 1, line 60 through column 2, line 52", Applicants argue as follows. The Examiner asserts that, at this citation, Barrett et al. teach "selecting one of said separate ciphering parameters for ciphering the communications

between said user equipment and said at least two of said plurality of core networks". In fact, a detailed examination of the teachings of Barrett et al. yields no disclosure of selecting one of a plurality of ciphering parameters and using the selected ciphering parameter for ciphering both(i) a communication between a user equipment and a first core network (from which a ciphering parameter is received) and (ii) a communication between the same user equipment and a second core network (from which a ciphering parameter is also received).

In fact, at the Examiner's preferred citation, Barrett et al. explicitly discloses that a need "exists in the art for a method and means for automatically selecting between different encryption algorithms ... and the ability of automatically selecting the correct algorithm to use in order to decrypt an incoming signal would be very useful especially for supervisory radios which need to communicate with groups of radios utilizing different encryption algorithms." Barrett et al. continue "This method and means is capable of automatically selecting a proper algorithm from among a plurality of different algorithms." Barrett et al. teaches a technique for automatically switching a radio between **different** encryption algorithm to listen to different groups of users having their own encryption algorithms. As a result, Barrett et al. fails to teach communicating ciphering parameters, let alone separate ciphering parameters from two core networks, let alone selecting one of the separate ciphering parameters for communication between a user equipment and the two core networks.

For these reasons, at least, claim 4 is in condition for allowance. As all of additional independent claims 1, 8, and 9 recite similar language as found in claim 4, claims 1, 8, and 9 are likewise in condition for allowance. As all of claims 2, 3, 5, 6, 8-14, and 20-23 depend on claims 1, 4, 8, and 9, they are likewise in condition for allowance.

Claim Rejections – 35 USC § 103

The Examiner rejected claim 7 as being unpatentable over Barrett et al. in view of Hamalainen (EP-0779760). The Examiner asserts that Hamalainen teaches "an access network comprising plurality of entities dedicated for managing the ciphering of communications with user equipment located in a geographical area allocated to said respective entities (see figure 7) and discloses using several switching centers that can

communicate with each other (column 1, lines 45-50)". The Examiner further asserts that it would have been obvious "to combine the features of Barrett and Hamalainen by using pluralities of entities or switching centres for managing and communicating to each other the cipher mode to be used when a user equipment moves from a geographical area allocated to a first ciphering managing entity to a geographical area allocated to a second ciphering managing entity as suggested by EC."

While taking no stand on the validity of the Examiner's assertions regarding the teachings of Hamalainen, Applicants note that Hamalainen does not teach, nor does the Examiner assert that Hamalainen teaches, selecting one ciphering parameters for ciphering the communications between a user equipment and at least two core networks as claimed. As neither Barrett et al. nor Hamalainen alone teach this element, their combination, such a combination neither suggested nor deemed appropriate, similarly fails to teach this element as claimed. As a result, claim 7 is in condition for allowance.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

Respectfully submitted:

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